

GAETANO P. DELUCA

October 31, 2004

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Murphy, Hesse, Toomey & Lehane
Attorneys at Law
Crown Colony Plaza
300 Crown Colony Drive - Suite 410
Post Office Box 9126
Quincy, MA 02269-9126

Attention: Stacey G. Bloom, Esquire; and
William P. Breen, Esquire

Dear Attorneys Bloom and Breen:

Subject: Attorney Breen's Request to Stay Discovery

On October 27, 2004, at a Hearing before the Honorable Robert E. Keeton and the (2) two requests made by Attorney Breen to Stay Discovery. The Court denied both requests.

On July 8, 2004, the Court issued its Memorandum and Order, especially:

B. Motion for a Stay of Discovery

On July 12, 2004, the Plaintiff filed and served his Amended Complaint with the Court and on the Defendants. Therefore, discovery is past due for the following defendants:

Town of Hingham,	Production of Documents & Interrogatories
Peter B. Bickford,	Production of Documents & Interrogatories
*Raymond E. Beale,	Production of Documents & Interrogatories
Bruce T. Capman,	Production of Documents & Interrogatories
Ruth Anne Beck,	Production of Documents & Interrogatories

*On August 11, 2004, you served on the Plaintiff Interrogatories for the Defendant Raymond E. Beale, Jr., the only Interrogatory answered truthfully was Interrogatory #8, which verified my Complaint.

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However, my review and conclusions of his (Beale) answers are, as follows:

SUMMARY

RAYMOND E. BEALE, JR.

1. OBJECTED TO INTERROGATORIES	14 TIMES
2. GAVE NON-RESPONSIVE ANSWERS	11 TIMES
3. GAVE FALSE ANSWERS	16 TIMES

Finally, the Interrogatories propounded on you for the aforementioned defendants are sixty-one (61) days past due.

Also, the Production of Documents propounded on you for the aforementioned defendants are seventy-seven (77) days past due.

Your failure to comply with the Court's Order leaves me no alternative but to either serve and file a Motion to Compel and/or a Request for a Default.

If there are any questions in this regard, please feel free to call.

Very truly yours,


Gaetano P. DeLuca

CC: United States District Court
Ms. Karen Folan, Docket Clerk